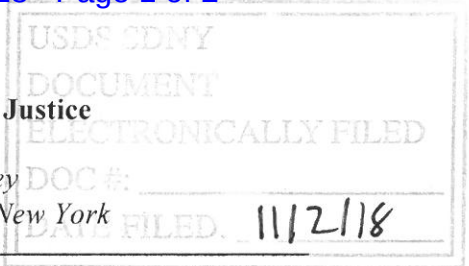




U.S. Department of Justice

*United States Attorney
Southern District of New York*



*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 1, 2018

BY ECF

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

RE: *United States v. Tyshawn Burgess, et al.*, 18 Cr. 373 (RJS)

Dear Judge Sullivan:

The Government writes as requested by the Court to respectfully propose revised groupings of defendants for trials in this case. These groupings accommodate, as best possible, the schedules of defense counsel, and will efficiently use the Court's and the jury's time by concentrating the presentation of related proof into each trial. As set forth below, the Government proposes three separate trial groups with each trial group containing five defendants.

Group 1

1. Tyshawn Burgess
2. Lloyd Gordon
3. Tyquan Robinson
4. Ramal Curtis
5. Robert Rhodes

Group 2

6. Tyrell Sumpter
7. Kerry Felix
8. Darren Miller
9. Kelly Royster
10. Kaemar Wilson

Group 3

11. Larry Bayer
12. Devontae Newton
13. Tyreek Ogarro
14. Ernest Murphy
15. Maurice Curtis

The Government expects that each trial—if all defendants in the group proceed to trial—will last approximately three weeks. The Government has communicated with counsel for the defendants regarding their availability for a trial in this case from May through August of 2019. Counsel for defendants in Group 1 are available for trial beginning May 1, 2019.¹ Counsel for defendants in Group 2 are available for trial beginning June 10, 2019. Counsel for defendants in Group 3 are available for trial beginning August 12, 2019.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: 

Karin Portlock
Assistant United States Attorney
(212) 637-1589

IT IS HEREBY ORDERED THAT a jury trial shall commence on Monday, April 29, 2019 at 9:30 a.m. with respect to the Group 1 Defendants, a jury trial shall commence on Monday, June 10, 2019 at 9:30 a.m. with respect to the Group 2 Defendants, and a jury trial shall commence on Monday, August 12, 2019 at 9:30 a.m. with respect to the Group 3 Defendants. As set forth on the record at the October 19, 2018 status conference, Defendants' motions are due by January 18, 2019, the government's opposition is due by February 8, 2019, Defendants' replies are due by February 20, 2019, and the parties shall appear for a status conference on January 25, 2019 at 10:00 a.m. The Court will set a schedule for pretrial submissions at a later date.

SO ORDERED 

Dated: 

RICHARD J. SULLIVAN
U.S.D.J.

¹ The Government inquired counsel's availability for the months of May through August. The Government respectfully requests that trial for Group 1 commence Monday, April 29, 2019 to maximize trial days, if that date is acceptable to the Court. The Government is not aware of any conflict with the schedules of counsel for the defendants in Group 1 for a trial beginning on Monday, April 29, 2019.